ase 4:11-cv-00554-A Document 14 Filed 09/26/11 Page 1 of 2 PageID 130

U.S. DISTRICT COURT NORTHERN DIST. OF TX. FT. WORTH DIVISION

IN THE UNITED STATES DISTRICT COURT()) SEP 26 AM 9: 42 FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION CLERK OF COURT

OBJECTION TO PLAINTIFF WELL GO, USA, INC. SUBPOENA IN A CIVIL CASE

Plaintiff hereby objects to the production, inspection, and/or copying of documents designated in the subpoena purportedly served by Plaintiff Well Go USA, Inc., in the above-referenced matter (the "Subpoena") on the following grounds:

OBJECTION TO PLAINTIFF'S SUBPOENA IN A CIVIL CASE

Plaintiff's subpoena is directed to unknown participants which is overly broad and not definitive. Defendant has never accessed the domain nor the website which is the subject matter of this dispute. Although Defendant is a customer of Charter their access to the Internet is neither protected nor blocked in any way. Defendant did not use this site and cannot identify other neighbors who could have accessed this site via his wireless provider.

Defendant further claims that providing such information is a violation of his privacy and puts him in a target position for identity theft and/or unapproved use of his wireless service.

Respectfully submitted,

Sharon B. Smith

State Bar No. 03070850

SHARON B. SMITH, P.C.

1905 Central Drive, Suite 103

Bedford, Texas 76021

Telephone: (817) 354-7661 Facsimile: (817) 540-1833

Texas DL #XXXXXX039

Social Security #XXX-XX-X606

CERTIFICATE OF SERVICE

I, Sharon B. Smith, certify that a true and correct copy of the foregoing Defendant's Objections has been mailed to Plaintiff's attorney, Evan Stone, Esq., 624 W. University Drive # 386, Denton, Texas 76201 by certified mail, return receipt requested, on the 25th day of September, 2011.

Sharon B. Smith